

Docket Item #7
SPECIAL USE PERMIT # 2005-0122

Planning Commission Meeting
January 3, 2006

ISSUE: Consideration of a request for a special use permit to operate a light automobile repair business.

APPLICANT: Rodolfo A. Herbel/ Nelly E. Herbel

LOCATION: 4948 C Eisenhower Ave

ZONE: OCM/(100) Office Commercial Medium

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

I. DISCUSSION

REQUEST

The applicant, Rodolfo A Herbel and Nelly E. Herbel, requests special use permit approval for the operation of a light automobile repair garage located at 4948 C Eisenhower Avenue.

SITE DESCRIPTION

The subject property is part of one lot of record with 455 feet of frontage on Eisenhower Avenue, a depth of approximately 795 feet and a total lot area of 8.529 acres. The site is developed with the 'BuildAmerica Six' Industrial Park, a one-story warehouse with 150,000 square feet of floor area, 335 parking spaces, and more than 40 units, and occupied by a variety of light industrial/manufacturing/auto repair and storage uses. The 1,800 square foot space proposed to be occupied by the applicant, is located on the northeast side of the building.



SURROUNDING USES

The site is surrounded by industrial, commercial, and storage uses. Railroad tracks abut the site to the south, an office building is located on the north side of Eisenhower Avenue, and a self-storage lot is adjacent to the warehouse complex to the east.

BACKGROUND

The applicant has operated a light automobile repair garage at the adjacent tenant space (4948-B) since December 16, 2001, when SUP#2000-0129 was approved by City Council. Since that time, the applicant has appeared before Council one time for review of the permit violations, which the applicant corrected. City Council most recently approved SUP#2002-0009 for the applicant to continue operating the light automobile repair business at the adjacent space.

Staff visited the applicant's business at 4948-B Eisenhower Avenue on December 1, 2005, and observed the business operating at 4948-C Eisenhower Avenue. The applicant has been operating from 4948-C Eisenhower Avenue for a month prior to staff's visit on December 1, 2005. Staff has issued a warning ticket to the applicant to cease operations until the special use permit has been approved. Staff advised the applicant to bring the use into compliance with building code requirements and agreed to issue a provisional approval pending this SUP application.

PROPOSAL

The applicant, also known as AutoWorld, plans to move from their current location at 4948-B Eisenhower Avenue, to next door at 4948-C Eisenhower Avenue to acquire more working space. The new location is nearly twice as big as the current space located at 4948-B Eisenhower Avenue. The current permitted location, 4948-B, is expected to be leased to a new tenant by the owner. The new tenant of 4948-B is expected to be a light automobile repair business. The applicant does not wish to make any other changes at this time.

Hours:	Monday-Friday (8:00AM- 7:00PM) Saturday (8:00AM- 3:00PM)
Number of employees:	2
Patrons per day:	4
Noise:	Low noise levels or none at all. The patrons will have a waiting area in the office. No noise from patrons is expected.
Odors:	Any odors emanating from the business will be from cars being repaired and will be controlled with fans and an air hose.
Trash/Litter:	Small boxes of trash are expected from the business as well as regular office trash. Trash will be collected twice a week and the litter will be collected every evening from the property.

PARKING

According to Section 8-200 (A)(17) of the Zoning Ordinance, a repair business requires one parking space for every 400 square feet. A repair business with 1,800 square feet will be required to provide five off-street parking spaces. The applicant is proposing to provide eight off-street parking spaces for the business.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the Office Commercial Medium 100 (OCM 100) zone. Section 4-1000 (S) of the Zoning Ordinance allows light automobile repair in the Office Commercial Medium zone only with a special use permit.

The proposed use is consistent with the Landmark/ Van Dorn Small Area Plan chapter of the Master Plan which designates the property for office/ industrial use.

II. STAFF ANALYSIS

The applicant wishes to move its light automobile repair company from its current location at 4948-B Eisenhower Avenue to next door at 4948-C Eisenhower Avenue. The new space will give the applicant 1,800 square feet of space, while offering eight off-street parking spaces. The applicant proposes no significant changes in the number of employees or the number of customers.

The applicant has been operating at 4948-B for nearly two years, during which there have been no complaints. While the applicant was found to be operating in the new location during an inspection by staff on December 1, they have been made aware that no work is to be done there until they are in compliance with building code requirements.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** of the special use permit subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the light auto repair business shall be limited to between Monday- Saturday 8:00AM- 7:00PM. (P&Z)
3. Repair work done on the premises shall be limited to light automobile repair. Light automobile repair is defined as: Minor service work to automobiles or light trucks including tune up, lubrication, alignment, fuel system, brakes, mufflers, and replacement of small items but not include general auto repair services. (P&Z)
4. No repair work shall be done outside. (P&Z)
5. No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z)
6. No vehicles shall be loaded or unloaded on the public right-of-way. (P&Z)
7. No debris or vehicle parts shall be discarded on the public right-of-way. (P&Z)
8. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z)
9. No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a suitable trash receptacle or enclosure. (P&Z)

10. The area around the building shall be kept free of debris and maintained in an orderly and clean condition. (P&Z)
11. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
12. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding a security survey for the business and regarding a Robbery Awareness Program for all employees. (Police)
13. All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
14. The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Division of Environmental Quality at 703-519-3400 ext. 166. (T&ES)
15. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
16. The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Enforcement. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES)
17. All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (T&ES)
18. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)
19. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to

docket the permit for review, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
James Hunt, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
- R-2 The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Division of Environmental Quality at 703-519-3400 ext. 166. (T&ES)
- R-3 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
- R-4 The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Enforcement. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES)
- R-5 All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (T&ES)
- R-6 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-2 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application. An inventory and MSDS sheets for hazardous materials are required.
- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-4 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-5 The required mechanical ventilation rate for air is 1.5 cfm per square foot of the floor area. In areas where motor vehicles operate for a period of time exceeding 10 seconds, the ventilation return air must be exhausted. An exhaust system must be provided to connect directly to the motor vehicle exhaust.
- C-6 Electrical wiring methods and other electrical requirements must comply with ICC Electric Code 2000 for commercial repair garages of automobiles.

Health Department:

- F-1 No Comment

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding a security survey for the business.
- F-1 As long as the applicant retains the same employees, there is no need for a Robbery Awareness Training program to take place.
- F-2 The Police Department has no objections to the relocation of the business from 4948-B to 4948-C Eisenhower Avenue.

SUP#2005-0122
4948 C Eisenhower Ave

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE.**